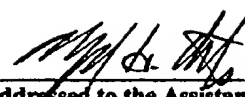




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I, Alfred H. Muratori,  certify that this paper was deposited with the United States Postal Service addressed to the Assistant Commissioner for Patents, Mail Stop AF, P.O. Box 1450 Alexandria, VA 22313-1450, first class, postage prepaid on 1 April 2004.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Andrew T. Hunt

Serial No. 09/921,437

Filed: August 3, 2001

For: **METHODS OF CHEMICAL VAPOR  
DEPOSITION AND POWDER  
FORMATION**

Art Unit: 1762

Examiner: Bret Chen

### RESPONSE

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In respect of the Office Action mailed 07 January, 2004, kindly find attached a "TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT."

### REMARKS

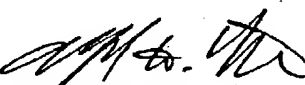
Currently, claims 13-47 are pending.

Currently Claims 13-47 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-53 of U.S. Patent No. 5,997,956. The examiner has noted that the submission of the attached terminal disclaimer would result in the application being passed to Issue. The same is hereby requested.

It is unclear to applicant's representative if a fee is required for submission of this terminal disclaimer. If such a fee is due, the Commissioner is hereby authorized to charge deposit account 501231 any additional fees due, or to credit any overpayment to this account.

Respectfully Submitted,

April 1, 2004



Alfred H. Muratori  
Reg. No. 41,561  
Customer number 24948

OK to enter  
BC